

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOMINIQUE ZAFIR CASEY,
Plaintiff,
v.
HADDAD, et al.,
Defendants.

Case No. 1:21-cv-00855-NODJ-SKO (PC)

ORDER REFERRING CASE TO POST-SCREENING ADR AND STAYING CASE FOR 90 DAYS

FORTY-FIVE (45) DAY DEADLINE

Plaintiff Dominique Zafir Casey is a state prisoner proceeding pro se in this civil rights action brought pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's constitutional claims against Defendants Agatar, Castillo, Castro, Fernandez, and Haddad.

The Court refers all civil rights cases filed by pro se inmates to Alternative Dispute Resolution ("ADR") to attempt to resolve such cases more expeditiously and less expensively. In appropriate cases, defense counsel from the California Attorney General's Office have agreed to participate in ADR. No claims, defenses, or objections are waived by the parties' participation.

The Court stays this action for ninety days to allow the parties to investigate Plaintiff's claims, meet and confer, and participate in an early settlement conference. The Court presumes that all post-screening civil rights cases assigned to the undersigned will proceed to a settlement

1 conference. However, if, after investigating Plaintiff's claims and meeting and conferring, either
2 party finds that a settlement conference would be a waste of resources, the party may opt out of
3 the early settlement conference.

4 Accordingly, it is hereby **ORDERED**:

- 5 1. This action is STAYED for **ninety (90) days** to allow the parties an opportunity to
6 settle their dispute before the discovery process begins. No pleadings or motions may
7 be filed in this case during the stay. The parties shall not engage in formal discovery,
8 but they may engage in informal discovery to prepare for the settlement conference.
- 9 2. **Within forty-five (45) days** from the date of this order, the parties SHALL file the
10 attached notice, indicating their agreement to proceed to an early settlement
11 conference or their belief that settlement is not achievable at this time.
- 12 3. **Within sixty (60) days** from the date of this order, the assigned Deputy Attorney
13 General SHALL contact the undersigned's Courtroom Deputy Clerk at
14 wkusamura@caed.uscourts.gov to schedule the settlement conference, assuming the
15 parties agree to proceed to an early settlement conference.
- 16 4. If the parties reach a settlement during the stay of this action, they SHALL file a
17 Notice of Settlement as required by Local Rule 160.
- 18 5. The Clerk of the Court SHALL serve via email copies of Plaintiff's first amended
19 complaint (Doc. 23), the Court's Second Screening Order (Doc. 25), the Order
20 Adopting Findings and Recommendations issued January 18, 2024 (Doc. 29), and this
21 Order to Supervising Deputy Attorney General Lawrence Bragg
22 (Lawrence.Bragg@doj.ca.gov), and a copy of this Order to ADR Coordinator Sujean
23 Park.

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6. The parties are obligated to keep the Court informed of their current addresses during the stay and the pendency of this action. Changes of address must be reported promptly in a Notice of Change of Address. *See* L.R. 182(f).

IT IS SO ORDERED.

Dated: April 26, 2024

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE

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NOTICE REGARDING EARLY
SETTLEMENT CONFERENCE

1. The party or counsel agrees that an early settlement conference would be productive and wishes to engage in an early settlement conference.

Yes _____ No _____

2. Plaintiff (check one):

_____ would like to participate in the settlement conference in person.

_____ would like to participate in the settlement conference by telephone or video

1 conference.

2 Dated:

3 Plaintiff or Counsel for Defendants

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